



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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| | | | |
|--------------------|---------------------|-----------------------|---------------------------|
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
| 09/437,102 | 11/09/99 HER | | |

F REFH-0113

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PHILADELPHIA PA 19103

0262/1216

NOT ASSIGNED

2749

DATE MAILED:

12/16/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☒ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

FORM PTO-1533 (REV. 9/98)

PART 2 - COPY TO BE RETURNED WITH RESPONSE

U.S. GPO 1999-350-5875

06/22/2000 MARKOL 00000063 09437102 65.00 DP 01/13/2005

DOCKET NO. : REFH-0113



Sector #

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Frederick Herz, Lyle Ungar, Jian Zhang,
David Wachob and Marcos Salganicoff

Serial No.: 09/437,102

Group Art Unit: 2749

Filing Date: 11/09/99

Examiner: Not yet assigned

For: SYSTEM AND METHOD FOR SCHEDULING BROADCAST OF AND
ACCESS TO VIDEO PROGRAMS AND OTHER DATA USING CUSTOMER
PROFILES

DATE OF DEPOSIT: June 16, 2000
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO BOX MISSING PARTS, ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, DC
20231

TYPED NAME: Vincent J. Roccia, Esq.
REGISTRATION NO.: 43,887

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME

In response to the "Notice to File Missing Parts of Application--Filing Date Granted"

dated 12/16/99, a response to which is due June 15, 2000, enclosed herewith for filing is:

- ☒ The original Combined Declaration and Power of Attorney from parent application serial number 08/346,425, executed by the inventor(s).
- ☒ An Associate Power of Attorney is also enclosed.
- ☐ Request for Corrected Filing Receipt.

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02 FC:218

680.00 DP

- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a Statement previously submitted on 11/9/99 .

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- ☐ The original executed Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 is filed herewith.
- ☐ A Statement Claiming Small Entity Status Under 37 CFR 1.9 and 1.27 has been forwarded to the Refund Section, Accounting Division, Office of Finance on @@. A copy of this Statement Claiming Small Entity Status form and the Request for Refund form is enclosed for your convenience.
- ☒ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of 12/16/99 to and through 6/15/00 , comprising an extension of the shortened period of 4 months:

| | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|--------------|----------|------------------|-----|
| | RATE | FEE | RATE | FEE |
| MISSING PARTS SURCHARGE | \$65 | \$65.00 | \$130 | \$ |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | \$55 | \$ | \$110 | \$ |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | \$190 | \$ | \$380 | \$ |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME | \$435 | \$ | \$870 | \$ |
| <input checked="" type="checkbox"/> FOUR MONTH EXTENSION OF TIME | \$680 | \$680.00 | \$1360 | \$ |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME | \$925 | \$ | \$1850 | \$ |
| TOTAL FEE DUE | | \$745.00 | | |

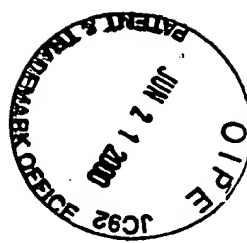
. Applicant(s) has/have not been notified that the requested extension will not be permitted.
The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

Total fee required \$745.00

- ☒ A check in the amount of \$745.00 is attached to cover the surcharge. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$@@.

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- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.
 - ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
 - ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
 - ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: June 16, 2000

Vincent J. Roccia, Esq.
Registration No. 43,887

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